

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN HANCOCK LIFE INSURANCE)
COMPANY, JOHN HANCOCK)
VARIABLE LIFE INSURANCE)
COMPANY, and MANULIFE)
INSURANCE COMPANY (f/k/a)
INVESTORS PARTNER LIFE)
INSURANCE COMPANY),)

Plaintiffs,) Civil Action No. 05-11150-DPW

v.) **REQUEST FOR ORAL ARGUMENT**

ABBOTT LABORATORIES,)
)
Defendant.)

**ABBOTT LABORATORIES' MOTION FOR
PROTECTIVE ORDER REGARDING DEPOSITION TOPICS 1 AND 2 OF
HANCOCK'S RULE 30(b)(6) DEPOSITION NOTICE**

Defendant Abbott Laboratories ("Abbott") hereby moves, pursuant to Fed. R. Civ. P. 26(c), for a protective order regarding topics 1 and 2 of Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a Investors Partner Life Insurance) (collectively, "Hancock") Federal Rule of Civil Procedure 30(b)(6) Deposition Notice.

Abbott seeks a protective order regarding these deposition topics because Hancock has already deposed seventeen separate witnesses on these topics and Abbott should not be required to prepare additional witnesses to testify on the same topics. Abbott has offered to designate the prior testimony of its fact witnesses as the company's Rule 30(b)(6) testimony. Hancock has refused Abbott's offer without any justification. Preparing additional witnesses on topics 1 and 2 of Hancock's Rule 30(b)(6) deposition notice would be unduly burdensome on Abbott. Abbott

is therefore entitled to a protective order barring Hancock from seeking additional testimony on these topics and allowing Abbott to designate prior testimony of witnesses already deposed in this matter as the company's Rule 30(b)(6) testimony.

In support of this Motion, Abbott relies upon the accompanying (a) Memorandum of Abbott Laboratories in Support of Motion for Protective Order Regarding Deposition Topics 1 and 2 of Hancock's Rule 30(b)(6) Deposition Notice, and (b) the Affidavit of Ozge Guzelsu, both of which are being filed contemporaneously herewith.

WHEREFORE, Abbott respectfully requests that this Court grant Abbott's Motion for Protective Order Regarding Deposition Topics 1 and 2 of Hancock's Rule 30(b)(6) Deposition Notice, and grant such further relief as this Court deems just and appropriate.

Dated: May 7, 2007

Respectfully submitted,

ABBOTT LABORATORIES

By: /s/ Michael S. D'Orsi
Michael S. D'Orsi

One of its attorneys

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Counsel for Abbott Laboratories

LOCAL RULE 7.1 AND 37.1 CERTIFICATION

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues in this Motion.

_____/s/ Michael S. D'Orsi

Michael S. D'Orsi

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 7, 2007.

Date: May 7, 2007.

_____/s/ Michael S. D'Orsi

Michael S. D'Orsi